

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM PAPE et al.,

Plaintiffs,

-v-

WAPPINGERS CENTRAL SCHOOL
DISTRICT et al.,

Defendants.

Case No. 07-CV-8828 (KMK)

ORDER

KENNETH M. KARAS, District Judge:

Defendants wrote the Court on April 3, 2008, requesting a premotion conference for leave to file a motion to dismiss. By memo endorsement, the Court set such a conference for May 22, 2008, at 10:45 a.m. Plaintiffs responded on April 17, 2008, with a one-paragraph letter indicating only counsel's availability.

The individual rules of practice for this Court state that "the moving party shall submit a letter not to exceed three (3) pages in length setting forth the basis for the anticipated motion." (II.A.) An opposing party is then required to submit a letter response. (*Id.*)

The letters in this case have failed to comply with the rules because Defendants did not adequately set forth the basis for their anticipated motion. The purpose of a premotion conference is for the Court to explore with the parties the nature of the motion and, where possible, to shape proceedings so as to best expedite resolution of the case.


Defendants' letter says only that they seek to assert lack of standing by Plaintiffs William and Nancy E. Pape to bring suit; the letter does not, however, explain *why* Defendants assert that Plaintiffs lack standing. Indeed, the letter consists entirely of legal conclusions and neither states a single asserted fact nor cites any case. Accordingly, it is therefore

ORDERED that Defendants shall submit a letter of not more than three pages, to be delivered to the Court by May 13, 2008, setting forth the bases of the motions proposed in their letter of April 3, 2008. And it is further

ORDERED that Plaintiffs shall submit a letter of not more than three pages, to be delivered to the Court by May 20, 2008, responding to Defendants' stated bases of their proposed motions.

SO ORDERED.

Dated: May 6, 2008
White Plains, New York


KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE